

WESTERN AUSTRALIA.



ANNO QUINTO

GEORGI QUINTI REGIS,

XXXVII.

No. 10 of 1915.

No. 10 ACT to validate grants of land made for the benefit of the Church of England, and to authorise and validate the disposal by sale or otherwise of lands granted by the Crown to or for the said Church.

[Assented to 18th February, 1915.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Church of England Lands Act*, Short title. 1914.

2. All grants of land heretofore made or purporting to be made of lands of the Crown to or for the benefit of the Branch of the Church of England in Western Australia, or to any person or body in trust or for the purposes of such church, whether such grants were expressed or intended to be made for church sites or for ecclesiastical purposes or otherwise howsoever, are hereby validated and confirmed. Validation of Grants..

Power to sell, lease,
or mortgage.

3. Subject to any Statute of the Synod of the Branch of the Church of England in Western Australia and to this Act, the Diocesan Trustees of the Church of England in Western Australia—

- (i.) may sell any lands granted by the Crown and held in trust for the said Church or for any of the purposes thereof, and transfer or otherwise assure the same to a purchaser freed and absolutely discharged from any trusts to which the said lands may be subject ;
- (ii.) may mortgage such lands to secure moneys lawfully borrowed, and for the purposes of such security assure such lands to the mortgagee and his assigns freed and discharged from any such trusts as aforesaid ;
- (iii.) may, notwithstanding any such trusts, lease any such lands for any term with or without right of renewal and either by way of building lease or otherwise and subject to such covenants, conditions, and agreements as they may think fit.

Protection of pur-
chasers and others.

4. No purchaser, mortgagee, or lessee of any such lands shall be bound or concerned to inquire whether any power of sale, mortgage, or lease was duly and regularly made or exercised, or in anywise to see to the application of any purchase, mortgage, or other moneys or to inquire into the necessity, regularity, or propriety of any such sale, mortgage, or lease, or be affected by notice that the same is or are irregular, unnecessary, or improper, subject, however, to the provisions of the next following section.

Approval of
Governor in certain
cases.

5. No assurance on sale or mortgage or lease for a term exceeding twenty-one years of lands granted by the Crown without pecuniary consideration therefor shall be valid unless approved by the Governor and countersigned by him as approved.

Confirmation of
previous transac-
tions.

6. All sales, mortgages, leases, and assurances of any such lands as aforesaid heretofore made or intended to be made in good faith by the said Trustees are hereby validated and confirmed.